	the 30 Filed in the Clerk's Office day of 2003
	TESTE LILLIE M. HART, CLERK 11:40pm
VIRGINIA:	By Defle D.C.
IN THE CIRCUIT COUR	T OF THE CITY OF CHESAPEAKE
COMMONWEALTH OF VIRGINIA)
)
v.) CR 03-3089, CR03-3090 &CR03-3091
)
LEE BOYD MALVO)

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NOTICE AND MOTION

Please take notice that I will, on October 31, 2003 at 2pm, or as soon thereafter as I may be heard, move this court to amend its order of October 24, 2003 to reflect in the second paragraph that the motion of the Commonwealth was for an evaluation pursuant to Va. Code § 19.2-168.1 and not Va. Code § 19.2-264.3:1(F).

Respectfully submitted,

ROBERT F. HORAN, JR Commonwealth's Attorney

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice and Motion was mailed, postage prepaid, and faxed to Michael Arif, Counsel for Defendant, 8001 Braddock Road, # 105, Springfield, Virginia 22151 and Craig Cooley, Counsel for the Defendant, 3000 Idlewood Avenue, P.O. Box 7268, Richmond, Virginia 23221 this 30th day of October, 2003.

ROBÉRT F. HORAN, JR Commonwealth's Attorney